

opposed to said proposed Amendment shall write, or have printed on their ballots the words:

“Against the Amendment to the State Constitution authorizing the Courts to place defendants on probation.”

If it appears from the returns of said election that a majority of the votes cast are in favor of said Amendment, the same shall become a part of the State Constitution.

SEC. 3. The Governor shall issue the necessary proclamation for such election, and shall have the same published and such election held as provided by the Constitution and laws of this State.

SEC. 4. The sum of Four Thousand Dollars (\$4,000), or so much thereof as may be necessary, is hereby appropriated out of the State Treasury to pay for the expenses of said publication and election.

[NOTE.—H. J. R. No. 46 passed the House, May 3, 1935, by a vote of 105 yeas, 1 nay; passed the Senate, May 7, 1935, by a vote of 27 yeas, 2 nays.]

Filed in the Department of State, May 9, 1935, without the Governor's signature.

PROPOSING AN AMENDMENT TO CONSTITUTION PROVIDING THAT LEGISLATURE SHALL HAVE POWER TO PROVIDE FOR OLD-AGE PENSION.

H. J. R. No. 19.]

HOUSE JOINT RESOLUTION.

House Joint Resolution Proposing an Amendment to Article III, of the Constitution of the State of Texas, by adopting a new Section to be known as Section 51-b, which shall provide that the Legislature shall have the power to provide, under such limitations and restrictions as may be deemed by the Legislature expedient, for old-age assistance and for payment of same not to exceed Fifteen Dollars (\$15) per month each to actual bona fide citizens of Texas over the age of sixty-five (65) years, who are not habitual criminals, nor habitual drunkards, nor inmates in any State supported institutions; and providing that the requirements for length of time of actual residence in Texas shall never be less than five (5) years during the nine (9) years immediately preceding the application for old-age assistance and continuously for one (1) year immediately preceding such application; and providing that the Legislature shall have the authority to accept from the Government of the United States financial aid for old-age assistance; providing for the necessary proclamation and making an appropriation to defray the expenses of proclamation, publication and election.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. That Article III of the Constitution of the State of Texas be amended by adding thereto a Section to be known as Section 51-b, which reads as follows:

"Section 51-b. The Legislature shall have the power by general laws to provide, under such limitations and restrictions and regulations as may be deemed by the Legislature expedient, for old-age assistance and for the payment of same not to exceed Fifteen Dollars (\$15) per month each to actual bona fide citizens of Texas who are over the age of sixty-five (65) years; provided that no habitual criminal, and no habitual drunkard while such habitual drunkard, and no inmate of any State supported institution, while such inmate, shall be eligible for such old-age assistance; provided further that the requirements for length of time of actual residence in Texas shall never be less than five (5) years during the nine (9) years immediately preceding the application for old-age assistance and continuously for one (1) year immediately preceding such application.

"The Legislature shall have the authority to accept from the Government of the United States such financial aid for old-age assistance as that Government may offer not inconsistent with the restrictions hereinbefore provided."

SEC. 2. The foregoing Constitutional Amendment shall be submitted to the electors of the State of Texas on the fourth Saturday of August, 1935, at which election there shall be printed on such ballot the following clause:

"For the Amendment giving the Legislature the power to provide a System of Old-Age Assistance not to exceed Fifteen Dollars (\$15) per month per person and to accept from the Government of the United States financial aid for old-age assistance."

"Against the Amendment giving the Legislature the power to provide a System of Old-Age Assistance not to exceed Fifteen Dollars (\$15) per person per month and to accept from the Government of the United States financial aid for old-age assistance."

SEC. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and have same printed as required by the Constitution and Laws of this State.

SEC. 4. The sum of Five Thousand Dollars (\$5000), or so much thereof as may be necessary, is hereby appropriated out of the funds in the Treasury of the State, not otherwise appropriated, to pay the expenses of said publication and election.

[NOTE.—H. J. R. No. 19 passed the House, March 25, 1935, by a vote of 126 yeas, 3 nays; House concurred in Senate amendments, May 6, 1935, by a vote of 120 yeas, 5 nays; passed the Senate, with amendments, May 3, 1935, by a vote of 30 yeas, 0 nays.]

Filed in the Department of State, May 10, 1935, without the Governor's signature.

**PROPOSING AMENDMENT TO CONSTITUTION VESTING
LEGISLATURE WITH POWER TO REGULATE MANU-
FACTURE, SALE, TRANSPORTATION AND
POSSESSION OF INTOXICATING
LIQUORS.**

S. J. R. No. 3.]

SENATE JOINT RESOLUTION.

A Joint Resolution proposing an Amendment to Article XVI of the Constitution of Texas by striking out Section 20a to Section 20e, both inclusive; prohibiting the open saloon and vesting in the Legislature the power to define and enact laws against such; vesting in the Legislature the power to regulate the manufacture, sale, transportation and possession of intoxicating liquors, including the power to provide for a State Monopoly on the sale of distilled liquors; providing that intoxicating liquors shall not be manufactured, sold, bartered or exchanged in any county, justice's precinct or incorporated city or town wherein the sale of intoxicating liquors had been prohibited by local option election held under the laws in force at the date of the taking effect of Section 20, Article XVI of the Constitution of the State of Texas, until a majority of the qualified voters of such county or political subdivision shall determine such to be lawful at an election held for that purpose; providing that such shall not prohibit the sale of alcoholic beverages containing less than 3.2 per cent alcohol by weight in cities, counties or political subdivisions in which the qualified voters have voted to legalize such sale under the provisions of Chapter 116, Acts of the Regular Session of the 43d Legislature; providing for an election on the question of the adoption or rejection of such Amendment; prescribing the form of ballot; providing for the proclamation and publication of such by the Governor and making an appropriation therefor.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. That Article XVI of the Constitution of Texas be amended by striking out Section 20a to Section 20e, both inclusive, and substitute in lieu thereof the following:

"ARTICLE XVI. Section 20.

"(a) The open saloon shall be and is hereby prohibited. The Legislature shall have the power, and it shall be its duty to define the term 'open saloon' and enact laws against such.

Subject to the foregoing, the Legislature shall have the power to regulate the manufacture, sale, possession and transportation of intoxicating liquors, including the power to establish a State Monopoly on the sale of distilled liquors.

"(b) The Legislature shall enact a law or laws whereby the qualified voters of any county, justice's precinct or incorporated town or city, may, by a majority vote of those voting, determine from time to time whether the sale of intoxicating liquors for beverage purposes shall be prohibited or legalized within the prescribed limits; and such laws shall contain provisions for voting